IN THE HIGH COURT OF JUDICATURE AT BOMBAY
ORDINARY ORIGINAL CIVIL JURISDICTION
CHAMBER SUMMONS NO.1601 OF 2005
IN
SUIT NO.1673 OF 1998

V.Shailesh Bajaj .. Plaintiff

vs

Creative Garments Ltd & anr.. Defendants

Mr.Zal Andhyarujina i.b Ravi Goenka for Plaintiff

Mr.G.B.Kedia for Defendant No.1

Mr.Harish Pandya with Mr.L.V.Bamma i.b S.Satpute & Co for Defendant No.2.

CORAM : SMT R.S.DALVI, J

DATE : 2nd March, 2007

P.C.

1. The plaintiff seeks amendments in a plaint to alter and change Exhibit D to the plaint and to carry out amendments to bring subsequent events on record. It is the case of the defendant no.2 that amendments are sought in Exhibit D to the plaint to overcome the case of the defendant no.2 in a certain criminal proceeding filed by the plaintiff's father against defendant no.2. The only issue in this Chamber Summons is whether the amendments can be allowed or not. The intent of the party and the fact that they would not result in reliefs being granted is not an issue before the court in a Chamber Summons taken out under Order 6

Rule 17 C.P.C.

2. Chamber summons is made absolute as prayed.

The plaintiff shall carry out the amendments in two weeks. The plaintiff shall also amend copies of the plaint served upon both the defendants within 2 weeks. The plainfiff shall be allowed to amend the plaint only after payment of court fees on valuation put by the plaintiff upon the reliefs sought in the plaint.

(Smt R.S.Dalvi,J)